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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/813,908	03/26/2004	Joachim Frey	4616-68296

24197  
KLARQUIST SPARKMAN, LLP  
121 SW SALMON STREET  
SUITE 1600  
PORTLAND, OR 97204



CONFIRMATION NO. 5049

## FORMALITIES LETTER



\*OC000000013540327\*

Date Mailed: 08/16/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/20/2004 LWONDIM1 00000059 024550 10813908

FILED UNDER 37 CFR 1.53(b)

01 FC:2001 395.00 DA  
02 FC:2201 176.00 DA  
03 FC:2051 65.00 DA

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$1448** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$2348** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$1448**
  - **\$1032** for **12** independent claims over 3.
  - **\$126** for **7** total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
Attorney Reference Number 4616-68296-01/RJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re application of:** Joachim Frey, et al.

**Application No.** 10/813,908

**Filed:** March 26, 2004

**Confirmation No.** 5049

**For:** TYPE III SECRETION PATHWAY IN  
AEROMONAS SALMONICIDA, AND  
USES THEREOF

**Examiner:** ---

**Art Unit:** 1653

**Attorney Reference No.** 4616-68296-01/RJP

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CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney  
for Applicant(s)

Date Mailed October 14, 2004

MISSING PARTS TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted
- ☒ Declaration for Utility Patent Application (1)
- ☒ Combined Declaration and Power of Attorney for Patent Application (2)
- ☒ Request to Use Computer Readable Form from a Related Application
- ☒ Sequence Listing (Paper Copy), 17 pages.
- ☒ Preliminary Amendment
- ☒ Fees
  - ☒ Basic Filing Fee of \$395.00 – Small Entity;
  - ☒ 4 extra independent claims - \$176.00 fee
  - ☒ Surcharge for Late Filing of Oath or Declaration of \$65.00 - Small Entity
- ☒ The Director is hereby authorized to charge \$636.00 to cover the above-referenced fees. If any additional fees are required, please charge them to Deposit Account No. 02-4550. A duplicate of this sheet is enclosed.

☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
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Docketing